

Wetlands Bureau Decision Report

Decisions Taken
05/16/2011 to 05/22/2011

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2009-00783 CONCORD, CITY OF **CONCORD Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 1414 sq. ft. stream bed and banks ("Burnham Brook") and associated wetlands for repairs to a failing and previously approved 96 in. x 140 ft. CMP culvert for access to the proposed "Cooperative Recycling Facility". Work consists of slip-lining the existing culvert with 84 in. x 140 ft. polymer coated CMP culvert, associated outlet stream bed restoration and storm drain outlet construction.

APPROVE PERMIT:

Dredge and fill 1455 sq. ft. (includes 1,135 sq. ft. temporary impacts) stream bed and banks ("Burnham Brook") and associated wetlands for repairs to a failing and previously approved 96 in. x 140 ft. CMP culvert for access to the proposed "Cooperative Recycling Facility". Work in jurisdictional wetlands consists of slip-lining the existing culvert with 84 in. x 140 ft. polymer coated CMP culvert, associated outlet stream bed restoration with non-fractured rock, culvert inlet cut-off wall and stormwater treatment outlet construction. Compensatory mitigation for the stream impacts consists of a 16.02 acre easement area that contains, uplands, wetlands, portions of Burnham Brook and banks adjacent to the Merrimack River and approximately 4,300 sq. ft. of bank restoration.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers plans sheets 1, 2, 4, 5, 6, 7 and 8 of 8 revision date of April 21, 2009 and narratives, as received by the NH Department of Environmental Services (DES) on April 27, 2009 and plan sheet 3 of 8 revision date of March 14, 2011, sheets 1 of 1 revision dates of April 2011 and narratives, as received by DES on April 5, 2011.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
4. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, depict all temporary impacts and show temporary siltation/erosion/turbidity control measures to be implemented.
5. The applicant shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property. Copies shall be supplied to DES Wetlands Bureau File No. 2009-00783 prior to construction.
6. At least 72 hours prior to the start of construction, a pre-construction meeting shall be held with DES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Work shall be done during low flow.
10. The final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap.
11. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

Compensatory Mitigation

Wetland and upland preservation:

21. This permit is contingent upon the acceptance by the Concord Conservation Commission and execution of a conservation easement on 16.02 acres and restoration of 4,300 sq. ft. of wetlands/bank as depicted on plans received by DES on April 5, 2011.
22. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
23. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
24. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
25. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
26. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
27. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
28. The bank restoration areas shall have at least 75% successful establishment of native vegetation after two (2) growing seasons, or shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
29. The restoration area(s) shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary.
30. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of DES (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks. For intermittent streams, the distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant investigated multiple culvert repair alternatives: complete replacement of the crossing with a new box culvert; installation of a concrete invert; and slip-lining the existing culvert. It was determined that complete replacement of the structure was not practicable due to the difficulty and risk involved with the excavation of 30 feet of sloping and highly erodible soils over the existing structure, difficulty working around the existing City of Concord water main and existing cooling water intake lines in the

roadbed that deliver continuous cooling water from the Merrimack River to the adjacent "Wheelabrator facility". Additionally, representatives from the Wheelabrator facility have indicated to the applicant that they would oppose a design that would disrupt the cooling water intake. A concrete invert repair was evaluated, however, due to the extent of the existing culvert deterioration it was determined it would be ineffective. Therefore, the alternative found to be the most practicable was slip-lining the existing culvert.

6. The existing culvert was permitted in 1988 under NH Wetlands Board File #C-1342.

7. The City of Concord Engineer provided the department with a comment letter, dated March 31, 2011, indicating that the culvert lining was the City's preferred alternative due to similar concerns of the amount of excavation needed for culvert replacement, unstable soils and working around existing water utilities.

8. The applicant's New Hampshire Licensed Professional Engineer conducted a hydrological analysis of the existing conditions and proposed conditions. It was determined by the engineer that changes to flows, velocities and backwater depths through the 50-year storm event will be minor and that there is sufficient up stream flood storage.

9. The proposal and design was submitted before passage of current stream rules Administrative Rules Chapter Env-Wt 900.

10. The Upper Merrimack River Local Advisory Committee ("LAC") provided the department with a comment letter, dated June 17, 2009. The LAC commented that they are very supportive of a single stream recycling facility, would normally comment on the preference for an open bottom culvert or bridge but site conditions do not support that approach and requested that the applicant provide evidence that bankfull flows and impounded water upstream of the newly installed culvert will not jeopardize the structural integrity of Whitney Road at the culvert location.

11. The approved plans for the crossing and Whitney Road work are stamped by the applicant's NH Licensed Professional Engineer.

12. The approval is conditioned that it does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required.

13. There are no other wetland or surface water impacts needed for the new facility.

14. Department staff conducted a field inspection of the proposed project on June 30, 2009.

15. The NH Fish and Game Department ("NHFGD") had comments regarding the identified State threatened, endangered ("TE") and other wildlife species identified near the site as well as comments regarding fish and wildlife passage and potential water quality impacts.

16. The NHFGD has indicated that they do not expect impacts to the northern leopard frog or bald eagle but do have concerns with impacts on fish and wildlife passage and protection of water quality for the brook floater mussel.

17. Given the identified site and construction constraints the applicant proposed compensatory mitigation to address Administrative Rule requirements and help offset/address concerns raised by NHFGD.

18. The proposed compensatory mitigation includes preservation of approximately 16 acres of land which includes uplands, wetlands, portions of Burnham Brook and bank of the Merrimack River and approximately 4,300 sq. ft. of bank restoration/clean-up.

19. The applicant is also restoring the stream bed at the culvert outlet to help offset the existing perched culvert condition and provide for improved aquatic organism passage.

20. The NHFGD Nongame and Endangered Wildlife Program has indicated that they are okay with the proposed mitigation.

21. The department has not received any additional comments from NHFGD regarding fish passage concerns.

22. The department has not received any comments from the United States Environmental Protection Agency ("EPA") or the United States Army Corps of Engineers ("ACOE").

23. DES has not received any abutter or public comments in objection to the proposed project.

24. The Concord Conservation Commission submitted a comment letter to the department, dated March 2, 2011, indicating they support the proposed mitigation with conditions and the understanding that the final acceptance of the proposed easement would need City Council approval.

25. This approval is contingent on acceptance by the Conservation Commission and execution of a conservation easement on the 16.02 acres.

26. The department has determined that the proposed compensatory mitigation complies with Administrative Rules Part Env-Wt 803.

27. DES has not received any abutter or public comments in objection to the proposed project.

28. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

Requested Action:

The applicant requests the permit be amended to allow the removal of two finger piers to accommodate the widening of two other finger piers, consolidate four seasonal canopies into two, and install five ice clusters.

APPROVE AMENDMENT:

1. Remove existing permanent docking facilities comprised of four separate structures covering a total of 790.6 sq ft of public waters, and providing a total 13 boat slips.
2. Construct reconfigured replacement docking facilities comprised of two separate piling-supported structures: one 7-slip structure having four 2 ft x 27 ft finger piers connected by a 2 ft x 62 ft walkway accessed by a 3 ft x 16 ft walkway; and one 4-slip structure having two 3 ft 6 in x 27 ft finger piers and one 2 ft x 27 ft finger pier connected by a 3 ft x 26 ft walkway accessed by a 1 ft 9 in x 30 ft piling pier.
3. Install two seasonal boatlifts, and one 24 ft x 27 ft canopy, in each of the two reconfigured docking structures.
4. Drive five protective ice cluster pilings.

With Conditions:

1. All work along the property's average of 374 feet of frontage shall be in accordance with plans by Folsom Design and Construction Management dated April 14, 2010, as revised May 5, 2011, and received by the NH Department of Environmental Services (DES) on May 11, 2011.
2. The areas of the shoreline from which docks and walkways are being permanently removed shall be stabilized by planting or seeding with non-invasive species.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
4. All portions of the existing docking structures shall be completely removed prior to the construction of any new docking structures.
5. This permit to replace and reconfigure existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. This permit does not allow for dredging for any purpose.
11. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
12. The seasonal boatlifts shall be removed from the lakebed for the non-boating season.
13. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
14. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a major docking facility.
2. The applicant has an average of 374 feet of frontage along Lake Winnepesaukee.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The existing docking facilities on this frontage have 790.6 square feet of construction surface area over public submerged lands and provide a total of 13 boat slips.
5. The proposed docking facilities on this frontage have 770.5 square feet of construction surface area over public submerged lands and provide a total of 11 boat slips.

6. The proposed modifications will reduce the square feet of construction surface area over public submerged lands and the number of slips provided on the frontage and therefore, meets Rule Env-Wt 402.21, Modification of Existing Structures.
7. The clustering of boat slips into two structures allowing the elimination of two pre-existing structures reduces the environmental impact of the docking facilities and therefore, meets Rule Env-Wt 402.21, Modification of Existing Structures.
8. The Department has received written objections to the use of this area as a marina from an abutting property owner.
9. There is no rule within the Wetlands Program Code of Administrative Rules, Chapters Env-Wt 100-900 that applies to the commercial use of structures, other than Rule Env-Wt 402.15, Commercial Use-Municipal Review.
10. In accordance with Rule Env-Wt 402.15, Commercial Use-Municipal Review, the requirement that an applicant document municipal approval of commercial use of a docking facility prior to approval by the department does not apply to "replacements without expansion."
11. The Applicant has provided evidence, to the satisfaction of the Department, that the existing structures are grandfathered, permanent docking structures.
12. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2010-02241 NH DEPT OF TRANSPORTATION
CAMBRIDGE Androscoggin River

Requested Action:

Realign approximately one mile of Route 16 further away from the Androscoggin River; construct new ditches, replace / extend culverts, remove pavement from relocated road and replant native vegetation impacting 12,563 sq. ft. of riverine and palustrine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 10/13/2010 by Gino E Infascelli

APPROVE PERMIT:

Realign approximately one mile of Route 16 further away from the Androscoggin River; construct new ditches, replace / extend culverts, remove pavement from relocated road and replant native vegetation impacting 12,563 sq. ft. of riverine and palustrine wetlands. NHDOT project #14805.

With Conditions:

1. All work shall be in accordance with the UNDATED plans by NHDOT Bureau of Environment, as received by the Department on April 7, 2011.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes

steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.

8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.

9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

10. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

11. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

12. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

13. After removal of the pavement from the abandoned roadbed, the area shall be revegetated as soon as possible.

14. Proper headwalls shall be constructed within seven days of culvert installation.

15. Work shall be done during low flow.

16. Plantings along the riverbank shall be incorporated into the design as discussed at the June 16, 2010 Natural Resource Agency Coordination Meeting.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), alteration of more than 200 linear feet of stream channel or banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. On Oct. 13, 2010, DES Staff conducted a field inspection of the project. Field inspection determined the relocation of the road before there are major erosion issues is a proactive approach. The ditchlines will be replaced resulting in the loss of less than 10,000 sq. ft. of wetlands and does not require mitigation.

6. The Natural Heritage Bureau indicates it is unlikely any exemplary natural communities will be impacted if the project stays within the limits indicated in the application.

7. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine and riverine resources, as identified under RSA 482-A:1.

2011-00137 NH DEPT OF TRANSPORTATION STRATHAM Jewell Hill Brook

Requested Action:

Replace a 66 in. x 42 ft. metal culvert with a 96 in. x 40 ft. plastic culvert embedded 30 in. impacting 7,608 sq. ft. (5,613 sq. ft. temporary) of previously disturbed tidal buffer zone, estuarine and riverine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Replace a 66 in. x 42 ft. metal culvert with a 96 in. x 40 ft. plastic culvert embedded 30 in. impacting 7,608 sq. ft. (5,613 sq. ft. temporary) of previously disturbed tidal buffer zone, estuarine and riverine wetlands. NHDOT project #15653.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 11/2010 as received by the Department on Jan. 13, 2011.

2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau at least 10 working days in advance of the meeting to be held as required by permit condition #3. Those plans shall be complete and shall include details regarding the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Construction equipment shall not be located within surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
18. The impacts associated with the temporary work shall be restored immediately following construction.
19. Proper headwalls shall be constructed within seven days of culvert installation.
20. Work shall not be done between April 1 and July 1.

With Findings:

1. This is a major project per Env-Wt 302.02 (a), projects in sand dunes, tidal wetlands, or bogs, except for repair of existing structures pursuant to Env-Wt 303.04(v).
2. The project is needed due to the deterioration of the existing culvert.
3. The project will improve the tidal restriction and benefit the tidal marsh community.
4. Both the NH Fish and Game Department and the National Marine Fisheries Service requested the project be conducted outside of anadromous fish migration and is conditioned as such in this approval.
5. The project was discussed at the monthly Natural Resource Agency meetings held at the NH Dept. of Transportation on February 4, 2010 and October 20, 2010 to coordinate the project.
6. Inspection by DES staff in May 2011 found that the highest observable tideline shown on the plan submitted is not accurate as the information was collected on June 14, 2010 instead of the perigean tide.
7. A review of the plans show the proposed disturbance is limited to 205 linear feet of the road and is within the limits of the

existing footprint. The total impact numbers are expected to be the same as shown on the application although the type of wetland is slightly different.

8. A NHDES Shoreland Protection permit is not required as all of the proposed work shown is in the jurisdiction of the DES Wetlands Bureau under RSA 483-A.

Requested Action:

Applicant requests the project be considered as a minimum impact project under rule Env-Wt 303.04 (t) and requests a rule waiver for Chapter Env-Wt 900, Stream Crossings.

DENY PERMIT:

A. Deny the request that the project be considered as a minimum impact project under rule Env-Wt 303.04 (t) and

B. Deny the request for a rule waiver for all of Chapter Env-Wt 900, Stream Crossings.

With Findings:

1. The project does not meet the following definition of Wetland Restoration:

Env-Wt 101.112 "Wetland restoration" means the re-establishment of a filled, dredged, or drained wetland to its historic condition, so as to restore lost functions to the greatest extent practicable, by removal of fill, restoration of hydrology to the area, or by such other means as are necessary.

2. The project does not meet the following definition of Stream Restoration:

Env-Wt 101.94 "Stream restoration" means the process of converting an unstable, altered, or degraded watercourse, including adjacent riparian zone and flood-prone areas, to a natural condition as found in reaches of the stream that have not been altered by human disturbances.

3. The project does meet the following definition of Stream Enhancement:

Env-Wt 902.19 "Stream enhancement" means stream rehabilitation activities undertaken to improve water quality or ecological function of a watercourse that do not qualify as total stream restoration, including but not limited to in-stream or stream bank stabilization activities that restore one or more of the geomorphic variables such as dimension, pattern, and profile.

and

4. The applicant has not identified each rule number to which the waiver is requested as required per Env-Wt 204.03.

5. The applicant has not shown how each rule waiver request meets the criteria listed for granting the request(s) per Env-Wt 204.04.

6. A review of the project finds that the design and information supporting this application meets the requirements of rule Env-Wt 904.09, Alternative Design and therefore there is no need to request a waiver for every rule in Chapter Env-Wt 900.

-Send to Governor and Executive Council-

**2011-00279 NH DEPT OF TRANSPORTATION
GILFORD Unnamed Stream**

Requested Action:

Dredge 900 sq. ft. of riverine wetlands at the inlet of twin 48 in. culverts to reduce the risk of flooding Route 11.

Conservation Commission/Staff Comments:

Cons. Comm. - no objection

APPROVE PERMIT:

Dredge 900 sq. ft. of riverine wetlands at the inlet of twin 48 in. culverts to reduce the risk of flooding Route 11. NHDOT project # M314-16.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 3 dated 11/30/10 as received by the Department on Feb. 2, 2011.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that the project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The stream / wetland to be impacted has some backwater due to the debris and silt. The proposed work will provide increased safety to the general public as it will reduce the possibility of the water overflowing into the road.
7. Based on the Conservation Commission report that they have no objections and the limited work area, the project involves minor environmental impacts.
8. A public hearing is not required prior to the issuance of the permit as the Department has not deemed this as necessary under RSA 482-A:8.
9. This location is the most downstream end of the Designated Prime Wetland and any work is unlikely to impact the remaining Prime Wetland.
10. Based on findings #1-9 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval.

2011-00303 GRN REALTY TRUST
PORTSMOUTH Unnamed Wetland Atlantic Ocean

Requested Action:

Relocate the float portion of an existing, permitted, T-shaped tidal dock structure, to avoid a submerged ledge, by extending the float system 10 feet seaward, reduce the width of the landing floats from 8' to 6', and relocate two slips from the previous landing float location to a new 8' x 20' float added to the long arm of the T. New float dimensions are 52' long x 6' wide for the ramp landing float, to be connected to five 16' long x 8' wide floats running parallel to shore (over all length 84'), maintaining the previously permitted 5 slips on 178' of frontage on the Back Channel of the Piscataqua River.

Inspection Date: 04/12/2011 by Dori A Wiggin

APPROVE PERMIT:

Relocate the float portion of an existing, permitted, T-shaped tidal dock structure, to avoid a submerged ledge, by extending the float system 10 feet seaward, reduce the width of the landing floats from 8' to 6', and relocate two slips from the previous landing float location to a new 8' x 20' float added to the long arm of the T. New float dimensions are 52' long x 6' wide for the ramp landing float, to be connected to five 16' long x 8' wide floats running parallel to shore (over all length 84'), maintaining the previously permitted 5 slips on 178' of frontage on the Back Channel of the Piscataqua River.

With Conditions:

1. All work shall be in accordance with revised plans by Riverside & Pickering Marine Contractors dated 4/20/2011, 2010, as

received by the Department on 4/22/2011.

2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. This permit shall not be effective until recorded at the Rockingham County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. The extended docking structure, which provides 5 slips on 178 feet of frontage, and other structures (a separate loading wharf), on the frontage previously approved under permit 1997-592, on the property on the back channel of the Piscataqua River, shall be the limit of structures for the frontage of Portsmouth Tax Map 102, Lot 24, and is authorized to be within 20' of the imaginary extension of the abutting property line pursuant to written, notarized permission from the westerly abutter, the City of Portsmouth. No additional expansion of docking structures shall be approved for the frontage.
6. Work shall be done during low tide.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
The previously permitted commercial marine contractor facility located at this site has been sold and the facility converted to a marine chandlery shop for recreational boaters. The previous position of the float portion of the dock resulted in accidents for recreational boaters encountering the ledge.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The overall structure will be extended by only 10' seaward toward the channel to avoid a navigation hazard. Per letter dated 3/3/11, received by DES on 3/21/11, the NH Division of Ports and Harbors found that the relocation will not impede navigation in the channel.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported that, while there is a record of an occurrence of a species of concern in the project vicinity, it is not expected to be impacted by the project. The applicant has received written, notarized permission from the affected abutter (the City of Portsmouth) to locate a portion of the dock within 20' of the imaginary extension of the property line into the water.
5. This dock is consistent with other tidal dock approvals in the seacoast, and consistent with commercial docks in the working waterfront area of Portsmouth.
6. The proposed change in positioning of the float string portion of the structure meets the intent of Env-Wt 402.21, Modification of Existing Structures, as the change in use from an intense commercial marine contractor facility to a transient dock for recreational boaters, with no change in slip count, and nominal change in square footage, will be of environmental benefit by diminishing shading created by frequent large vessel coverage; by diminishing turbidity created by the previous daily active barge and work vessel movement in and out of the facility; and by going from year round to seasonal facility use.
7. DES staff field inspection on 4/12/2011 and found that the site is accurately represented in the application.
8. The Portsmouth Conservation Commission recommends approval of the project.

-Send to Governor and Executive Council-

2011-00468 PETERSON, JUDITH
WOLFEBORO Lake Winnepesaukee

Requested Action:

Extend an existing 4 ft x 28 ft pier cantilevered off a 35 ft breakwater 7 ft, construct a 6 ft x 25 ft piling pier extending southeasterly, install 2 seasonal boatlift, a seasonal personal watercraft lift, drive 2 ice clusters and 1 tie-off piling on an average of 98 ft of

frontage on Lake Winnepesaukee in Wolfeboro.

APPROVE PERMIT:

Extend an existing 4 ft x 28 ft pier cantilevered off a 35 ft breakwater 7 ft, construct a 6 ft x 25 ft piling pier extending southeasterly, install 2 seasonal boatlift, a seasonal personal watercraft lift, drive 2 ice clusters and 1 tie-off piling on an average of 98 ft of frontage on Lake Winnepesaukee in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated December 26, 2010, as received by the Department on March 7, 2011.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all new portions of the structures, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 30 feet from normal full lake shoreline.
8. No modification shall be made to the breakwater portion of the docking facility.
9. Support pilings shall be spaced a minimum of 12 ft apart as measured center to center.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), Modification of a docking facility associated with a breakwater.
2. The applicant has an average of 98 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. The Applicant has met the criteria of Rule Part Env-Wt 204, Waivers, for a waiver of Rules Env-Wt 402.07, (b), (4) and Env-Wt 402.07, (l), (4).

-Send to Governor and Executive Council-

2011-00665 KW ACRES INVESTMENT LLC
WOLFEBORO Crescent Lake

Requested Action:

Install two 6 ft x 32 ft seasonal piers connected by a 6 ft x 10 ft seasonal walkway in a "U" configuration, providing 3 additional slips on a frontage with an existing permanent crib supported dock consisting of two 8 ft x 37 ft piers connected by a 9 ft x 12 ft permanent walkway in a "U" configuration providing 3 existing slips, on an average of 418 feet of frontage on Crescent Lake, in Wolfeboro.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Install two 6 ft x 32 ft seasonal piers connected by a 6 ft x 10 ft seasonal walkway in a "U" configuration, providing 3 additional slips on a frontage with an existing permanent crib supported dock consisting of two 8 ft x 37 ft piers connected by a 9 ft x 12 ft permanent walkway in a "U" configuration providing 3 existing slips, on an average of 418 feet of frontage on Crescent Lake, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co dated May 19, 2010, as received by the NH Department of Environmental Services (DES) on April 01, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit does allow for repair of the existing permanent docking structure.
4. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. The seasonal piers shall be removed from the lake for the non-boating season.
6. No portion of the additional piers shall extend more than 32 feet from the shoreline at full lake elevation.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of Crescent Lake, as identified under RSA 482-A:1.
6. The applicant has an average of 418 feet of frontage along Crescent Lake.
7. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
8. The existing and proposed docking facilities will provide 6 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

-Send to Governor and Executive Council-

2011-00667 **CANOBIE LAKE REALTY CORP**
SALEM **Canobie Lake**

Requested Action:

Repair and reconfigure existing T shaped commercial docking facilities, including the relocation of the maintenance dock to the southeast extension of the "T" on an average of 2200 ft of frontage on Canobie Lake, in Salem.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Repair and reconfigure existing T shaped commercial docking facilities, including the relocation of the maintenance dock to the

southeast extension of the "T" on an average of 2200 ft of frontage on Canobie Lake, in Salem.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership Inc dated March 18, 2011, as received by the NH Department of Environmental Services (DES) on April 1, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. The repairs shall maintain the size, location and configuration of the pre-existing structures.
5. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Seasonal piers shall be removed from the lake for the non-boating season.
11. No portion of the pier shall extend more than 129 feet from the shoreline at full lake elevation.
12. The existing T shapes docking structure and maintenance dock shall be permanently removed from the waterbody prior to the installation of the new docking system.
13. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 2200 feet of frontage along Canobie Lake.
6. A maximum of 30 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 8 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Canobie Lake.
9. The proposed docking structure provides 188 sq ft less impact to the waterbody than repairing the existing docking structure in kind.

-Send to Governor and Executive Council-

**2011-00787 WHITE MOUNTAIN NATIONAL FOREST
WOODSTOCK Beaver Pond**

Requested Action:

Dredge and fill 8,677 square feet of the bed and banks of Beaver Pond for the replacement of an existing concrete spillway and training wall, improvement of an earthen embankment and the installation of new cast iron sluice gate.

APPROVE PERMIT:

Dredge and fill 8,677 square feet of the bed and banks of Beaver Pond for the replacement of an existing concrete spillway and

training wall, improvement of an earthen embankment and the installation of new cast iron sluice gate.

With Conditions:

1. All work shall be in accordance with plans by Dubois & King Inc., entitled Beaver Pond Dam Reconstruction (Sheets 3-9, 12-15 of 17) dated December 03, 2010 as received by DES on April 15, 2011 and Wetland Impact Plans: Impact Plan (sheet 1 of 3) dated December 15, 2010 as received by DES on April 15, 2011.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
5. There shall be no excavation or operation of construction equipment in flowing water.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
19. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the B

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02 (h) Projects that disturb more than 200 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The dam improvements are necessary to comply with issues presented in the NHDES Dam Bureau Letter of Deficiency dated April 06, 2009.
5. The Wetlands Bureau approval is contingent on approval by the DES Dam Bureau.
6. The proposed dam reconstruction will improve public safety.
7. The agent has indicated that the dam reconstruction will result in the elevation of the pond being at the historic surface water elevation (1845.75).

8. In a memorandum dated December 15, 2010 a certified wetland scientist stated they expect that the final water elevation of wetland "C" would vary from approximately three inches above the lowest ground surface to an elevation approximately equal to the ground surface, all of which would be water regimes normally associated with emergent wetlands, and would not result in destruction of those wetlands.
9. The NHFG Nongame and Endangered Wildlife Program commented that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.
10. DES did not receive any comments from the Conservation Commission.
11. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine and lacustrine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2006-00272 GIOVINELLI, STEVEN & LISA
DEERFIELD Unnamed Wetland Hartford Brook

Requested Action:

Permittee requests a waiver to administrative rule Env-Wt 502.01, Duration of Permit, in order to receive a 3-year time extension to the permit expiration date to complete the dredge and fill of a total of 5,851 square feet of wetlands to construct two driveway crossings to access a single family house lot, including: 3,015 square feet of impact to install a 24 inch x 39 foot culvert in a wet meadow; and 2,836 square feet of impact to install an over-sized 5 foot diameter round or squash culvert with a buried and naturalized bottom to cross a perennial stream.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

APPROVE TIME EXTENSION:

Dredge and fill of a total of 5,851 square feet of wetlands to construct two driveway crossings to access a single family house lot, including: 3,015 square feet of impact to install a 24 inch x 39 foot culvert in a wet meadow; and 2,836 square feet of impact to install an over-sized 5 foot diameter round or squash culvert with a buried and naturalized bottom to cross a perennial stream. Waive Rule Env-Wt 502.01, Duration of Permit, and grant a 3-year time extension from the original expiration date of the permit.

With Conditions:

1. All work shall be in accordance with revised plans by RSL Layout and Design, Inc. dated 3/14/2006, as received by DES on 3/15/2006, per detail of headwall slope stabilization dated 8/25/2008, received by DES on 8/25/2008; and per redesign of stream crossing dated 3/30/2009, as received by DES on 4/28/2009.
 - 1a. The bottom medium of the redesigned culvert shall consist of natural stone and gravel material of varying size, not straight rip rap, pursuant to the recommendations of NH Fish and Game Department.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. This permit is contingent upon receipt and DES approval of stream diversion/ dewatering plan for work at crossing locations which involve perennial streams.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Silt fencing must be removed once the area is stabilized.

9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
11. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. Proper headwalls shall be constructed within seven days of culvert installation.
19. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
20. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
21. Work shall be done during low flow.

With Findings:

1. On April 11, 2011 DES received a request to waive Rule Env-Wt 502.01, Duration of Permit, to allow a 3-year time extension of permit 2006-272, which expired on 3/15/2011.
2. The permittee previously provided redesigned amended plans to the satisfaction of DES Wetlands Bureau and the NH Fish and Game Department.
3. In accordance with Env-Wt 900, this project meets the intent of the stream crossing rules.
4. The permittee was unable to complete the project before the expiration of the permit, and to re-apply would result in economic hardship and construction delays.
5. The wetland impacts requested for the project comply with the current applicable statute and administrative rules.
6. The permittee has complied with RSA 482-A:3,I(c) by submitting the balance of any fee due based on the current rate, for the wetland impacts to be executed.
7. Pursuant to the requirements of Env-Wt 204.04(a)(1)a., DES finds that granting the waiver will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety.
8. Pursuant to the requirements of Env-Wt 204.04(a)(1)b., DES finds that granting the waiver will not result in a more significant impact on abutters than compliance with the rule.
9. Pursuant to the requirements of Env-Wt 204.04(a)(2), DES finds that condition Env-Wt 204.04(a)(2)b., necessary to granting the Waiver, has been met. DES finds that strict adherence to the rule being waived would result in severe economic hardship to the property owner.
10. Based on findings 1-9 above, DES grants the applicant a Waiver to rule Env-Wt 502.01, and extends the permit expiration date to 3/15/2014.

Requested Action:

Retain 2,012 square feet of dredge and fill for the realignment of a road and retain the modified culvert dimensions (24-inch x 110 foot closed-bottomed culvert and a 24-inch x 60-foot closed-bottomed culvert) for access to a 17-lot subdivision. Restore 6,051 square feet of wetlands that were dredged and filled without a permit.

APPROVE PERMIT:

Retain 2,012 square feet of dredge and fill for the realignment of a road and retain the modified culvert dimensions (24-inch x 110 foot closed-bottomed culvert and a 24-inch x 60-foot closed-bottomed culvert) for access to a 17-lot subdivision. Restore 6,051 square feet of wetlands that were dredged and filled without a permit.

With Conditions:

1. All work shall be in accordance with the plans by GeoInsight, Inc. entitled United Construction Corporation: Juniper Hill Subdivision (Figures No. 2.1 and 4) dated April 19, 2011 and received by the Department on April 22, 2011.
2. This permit is contingent upon the restoration of 6,051 square feet of wetlands, in accordance with the restoration plans and narrative as received by the Department on December 22, 2011 (Figure No. 6) and April 22, 2011 (Figure No. 4 and 4.1).
3. Restoration shall be completed by August 15, 2011.
4. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration area is constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary.
5. The qualified professional shall inspect the restoration areas, and submit an initial monitoring report with photographs to DES within 20 days of the projected restoration compliance date, but in no event shall the initial monitoring report be submitted later than September 04, 2011. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.
6. Work shall be done during periods of low-flow.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
11. Materials used to emulate a natural channel bottom must be rounded and smooth stones similar to the natural stream substrate and shall not include angular riprap or gravel.
12. Only native wetland species appropriate to the area shall be planted.
13. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications and shall contain no reed canary grass (*Phalaris arundinacea*).
14. Mulch used within the wetland restoration area shall be natural straw or equivalent.
15. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
16. Restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional stream/wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
20. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
21. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will

require a new application and approval by the Bureau.

With Findings:

1. This is a minor project per Administrative Rule Env-Wt 303.03 (h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
4. Wetlands permit 2006-01773 permitted the dredge and fill 7,950 square feet of intermittent and perennial stream and associated palustrine forested wetlands to install a 24-inch x 80-foot open-bottomed metal arch culvert for an intermittent stream road crossing; and a 36-inch x 60-foot, 48-inch x 28-foot, and 36-inch x 20-foot open bottomed metal arch culvert for three (3) separate perennial stream crossings for road and common driveway access to a 17-lot subdivision on \pm 57 acres (phase I); and restore approximately 30 linear feet of perennial stream for the removal of an existing 18-inch culvert.
5. The realignment of Cradle Hill Road was necessary due to bedrock obstructions.
6. The two culverts on Hummock Lane were not installed in accordance with permit 2006-01773. The permitted culverts were open-bottomed metal arch culverts. The installed culverts are closed bottom. The project engineer stated that the Hummock Lane culverts are capable of conveying the 50 year 24 hour design storm.
7. In an e-mail dated February 09, 2011 the agent requested comments or concerns from the NHFG Nongame and Endangered Wildlife Program. No comments or concerns were received.

2011-00167 GOVERNORS ISLAND CLUB INC
GILFORD Lake Winnepesaukee

Requested Action:

Remove 74 linear feet of shoreline armoring from property having approximately 880 ft of frontage along Lake Winnepesaukee, in Gilford.

Conservation Commission/Staff Comments:

Con Com submitted comments requesting letter from owner giving permission to agent to act on behalf of owner, and information about company hired to do work

DENY PERMIT:

Remove 74 linear feet of shoreline armoring from property having approximately 880 ft of frontage along Lake Winnepesaukee, in Gilford.

With Findings:

Standards for Approval

1. Pursuant to RSA 482-A:3, XIV, (a), (2), In processing an application for permit the department shall request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary. Any request for additional information shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if the requested information is not received within 60 days of the request, the department shall deny the application.
2. Pursuant to Rule Env-Wt 501.02 (a), (2), (e), Additional Data Requirements, the applicant shall submit a drawing or drawings with the completed application that show an overview of the property and proposed impact areas in relation to the property lines.
3. Pursuant to Rule Env-Wt 501.02 (a), (2), (l), Additional Data Requirements, the applicant shall submit a drawing or drawings with the completed application that show the shoreline, surface waters, and their relation to the proposed project.
4. Pursuant to Rule Env-Wt 501.02 (a), (2), (n) Additional Data Requirements, if the topography is to be permanently altered, the applicant shall submit a drawing or drawings with the completed application that show the existing and proposed topography, including a reference elevation.
5. Pursuant to Rule Env-Wt 501.02 (c), (1), Additional Data Requirements, for projects affecting surface water shoreline, the

applicant shall submit a drawing or drawings with the completed application that show the general shape of the shoreline including the length of frontage and the full water body elevation.

6. Pursuant to Rule Env-Wt 501.02 (c), (2), Additional Data Requirements, for projects affecting surface water shoreline, the applicant shall submit a drawing or drawings with the completed application that show the footprint of all existing and proposed structures on the property.

7. Pursuant to Rule Env-Wt 501.02 (c), (4), Additional Data Requirements, for projects affecting surface water shoreline, the applicant shall submit a drawing or drawings with the completed application that show the distance from existing and proposed work to abutting property lines.

8. This project is classified as a minor impact project per Rule Env-Wt 303.03, (k), projects that disturb between 50 and 200 linear feet, measured along the shoreline of a lake.

Findings of Fact

1. On January 20, 2011, the Wetlands Bureau received an application for impacts to the bank of Lake Winnepesaukee on the lot identified as Gilford lot 43, tax map 218 to remove 74 linear feet of "man-made retention wall."

2. The subject property has experienced continuous and significant shoreline erosion and accretion over the last 15 to 20 years as documented in the Wetlands Bureau's records.

3. None of the plans submitted with the application, including the plan stamped by a professional engineer, copied from a previous file associated with the property, show all 5 of the existing jetties and shoreline stabilization structures on the frontage relative to the property lines and the current normal high water line.

4. On March 1, 2011, the Wetlands Bureau issued a Request for More Information letter to the applicant. This letter requested a plan showing complete dimensions for all existing and proposed structures on the frontage relative to fixed points on the shoreline and their distances from the property lines.

5. The Request for More Information letter also requested photographic documentation of a structure identified on the plans as a "newly constructed wall" This was requested on the grounds that the Department had no record of a pre-existing wall in the location shown, nor was there record of a permit being issued for such a wall.

6. The Request for More Information letter requested cross section plans showing the existing grades and proposed grades, all areas of impact, and the full lake elevation.

7. The Request for More Information letter explained that the plan submitted did not indicate the location of the property line to the south and requested a plan of the entire frontage indicating all structures, the location of the proposed project, and the location of the proposed work relative to the property lines.

8. The Request for More Information letter requested an explanation of how the area would be stabilized after the rock material had been removed.

9. On March 4, 2011, the Wetlands Bureau received a response from the Applicant to the Request for More Information letter. This response did not include any new plans.

10. The response to item #1 of the Request for More Information letter stated that the Applicant had submitted a stamped surveyed plan of the frontage with the original submittal. However the original submittal included a partial plan of the frontage stamped by a professional engineer. No plan, or combination of plans submitted to the application showed the entire frontage. In particular the plans failed to show the southernmost jetty, shoreline contour, and property line.

11. The applicant failed to provide further documentation of the "newly constructed wall" shown on the plans submitted.

12. The Applicant refused to submit cross section plans of the proposed topography relative to full lake elevation.

13. The Applicant stated that the stamped plan originally submitted showed the property line to the south. This assertion is incorrect. The stamped plan submitted with the original application fails to depict the shoreline to the south of the fourth jetty. The property line lies at, or just to the south of, the fifth jetty on the frontage.

14. On March 24, 2011, the Wetlands Bureau issued a second Request for More Information letter to the applicant. This second letter indicated the applicant did not fully respond to four of the items originally requested in the letter dated March 1, 2011. This second letter listed each item not completely responded to and expanded on the each requested item. This second letter requested the applicant submit the information by the deadline of the original Request for More Information letter.

15. On April 23, 2011 the Wetlands Bureau received a response from the agent for the applicant to the second Request for More Information letter.

16. The April 23, 2011 response included the photographic evidence of the structure identified on the plans as a "newly constructed wall" as requested.

17. In the April 23, 2011 response the Applicant reasserted the claims that a complete, stamped survey, drawn by Bryan L. Bailey

had been had been submitted. The Applicant refused to provide any further plans to the Department.

18. The plan that the Applicant asserts is a "stamped survey plan" was produced by a company named Bryan L. Bailey Associates, Inc. Turning Point Land Surveyors & Land Planners. The plan is stamped by Craig T Bailey, Professional Engineer. The plan date as shown in the title block is 01/03/2008 with a revision date of 02/28/2008. The title block indicates that both the initial plan and the revision were drawn by Craig T Bailey. There is no indication on the plan that Bryan L. Bailey was responsible for the drawing of the plan or the field measurements represented therein.

19. The shoreline and grade contours on the plan drawn by Craig T. Bailey in January and February 2008 do not match those shown on a survey plan of the same frontage dated September 18, 2006 and stamped by Bryan L. Bailey submitted to prior file 2006-1508.

20. The file history of the subject property indicates that the shoreline is susceptible to significant shifts in erosion and sediment accumulation patterns which can quickly render old surveys unreliable.

Ruling in Support of Denial

1. The Applicant has refused the Department's request for the submittal of complete and accurate plans showing details specifically required within the paragraphs of Rule Part Env-Wt 501. In accordance with RSA 482-A:3, XIV, (a), (2), the application is denied.

2011-00538 GETMAN, FRANK
GILFORD Lake Winnepesaukee

Requested Action:

Remove a 6 ft x 60 ft caisson supported pier, construct a 6 ft x 60 ft piling pier with a 6 ft x 25 ft "L", protected by 3 ice clusters, drive 1 tie off piling, and install a seasonal boatlift and 2 personal watercraft lifts on an average of 520 ft of frontage on Jolly Island in Gilford on Lake Winnepesaukee.

APPROVE PERMIT:

Remove a 6 ft x 60 ft caisson supported pier, construct a 6 ft x 60 ft piling pier with a 6 ft x 25 ft "L", protected by 3 ice clusters, drive 1 tie off piling, and install a seasonal boatlift and 2 personal watercraft lifts on an average of 520 ft of frontage on Jolly Island in Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 25, 2011, as received by the NH Department of Environmental Services (DES) on March 18, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit does not allow for dredging for any purpose.
4. Repairs to the new structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. All such repairs shall maintain the size, location, and configuration of the approved structures.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any structures represented as "existing" were not previously permitted or grandfathered in their current configuration.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
11. All seasonal structures shall be removed for the non-boating season.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible

for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), Construction of a 3-slip permanent docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 520 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 7 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The Conservation Commission raised concerns regarding the configuration of the structure given the prevailing winds.
9. The Applicant provided a response acknowledging the wind related difficulties but explained that they were outweighed by the risks and construction complications posed by surrounding ledge outcrops.

2011-00541 CASALE FAMILY TRUST
TUFTONBORO Lake Winnepesaukee

Requested Action:

Dredge 9.2 cu yd from 324 sq ft of lake bed within the center slip of a U-shaped docking facility consisting of two 6 ft x 40 ft seasonal pier connected by a 6 ft x 12 ft walkway on an average of 154 ft of frontage on Little Bear Island in Tuftonboro, on Lake Winnepesaukee.

APPROVE PERMIT:

Dredge 9.2 cu yd from 324 sq ft of lake bed within the center slip of a U-shaped docking facility consisting of two 6 ft x 40 ft seasonal pier connected by a 6 ft x 12 ft walkway on an average of 154 ft of frontage on Little Bear Island in Tuftonboro, on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated March 10, 2011, as received by the NH Department of Environmental Services (DES) on March 18, 2011.
2. All dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), dredge of less than 20 cu yd of material from public waters.
2. The need for the proposed impacts to allow for adequate safe access to this property, which is accessible only by boat, has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00564 TEICH, ANDREW/LAURIE
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install a 6 ft x 40 ft seasonal pier to be connected to an existing 6 ft x 40 ft seasonal pier by a 6 ft x 12 ft walkway, install a seasonal boatlift and a 14 ft x 30 ft seasonal canopy, retain an existing personal watercraft float/ramp, and split apart a boulder within the approach to an existing 18 ft x 38 ft dug-in boathouse on an average of 287 ft of frontage on Lake Winnepesaukee in Moultonborough.

APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal pier to be connected to an existing 6 ft x 40 ft seasonal pier by a 6 ft x 12 ft walkway, install a seasonal boatlift and a 14 ft x 30 ft seasonal canopy, retain an existing personal watercraft float/ramp, and split apart a boulder within the approach to an existing 18 ft x 38 ft dug-in boathouse on an average of 287 ft of frontage on Lake Winnepesaukee in Moultonborough.

With Conditions:

1. All docking structures shall be in accordance with plans by Watermark Marine Construction dated October 30, 2010, as received by the NH Department of Environmental Services (DES) on March 22 2011.
2. All work related to the splitting and dispersal of the boulder shall be in accordance with plans by Watermark Marine Construction dated January 27, 2011, as received by the NH Department of Environmental Services (DES) on March 22 2011.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
4. This permit shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
9. All seasonal structures shall be removed from the lake for the non-boating season.
10. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of docking facilities providing a total of 4 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 287 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2011-00644 WOODWORTH, ROBERT
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Permanently remove an existing 4 ft x 80 ft seasonal dock with two 4 ft x 16 ft seasonal finger docks in an "F" configuration, and an 8 ft x 12 ft deck over the water, construct a 4 ft x 6 ft concrete pad, install a 6 ft x 50 ft seasonal dock and two 4 ft x 16 ft seasonal docks lakeward in a "L" configuration on an average of 84 ft of frontage on Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Permanently remove an existing 4 ft x 80 ft seasonal dock with two 4 ft x 16 ft seasonal finger docks in an "F" configuration, and an 8 ft x 12 ft deck over the water, construct a 4 ft x 6 ft concrete pad, install a 6 ft x 50 ft seasonal dock and two 4 ft x 16 ft seasonal docks lakeward in a "L" configuration on an average of 84 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated January 12, 2011, as received by the NH Department of Environmental Services (DES) on March 30, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 66 feet from the shoreline at full lake elevation.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. The existing dock and deck shall be completely removed before installation of the new docking structure.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system that exceeds the criteria for minimum impact docks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 84 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The applicant submitted signed notarized consent from the affected abutter.

MINIMUM IMPACT PROJECT

2009-01184 HICKORY POND PARTNERS LLC
NEWMARKET Unnamed Wetland

Requested Action:

Approved name change to: Hickory Pond Partners, LLC, PO Box 312, Stratham, NH 03885 per request received 4/15/11. Previous owner: Bosinger 2006 Family Trust.

APPROVE NAME CHANGE:

Dredge and fill 2,200 sq. ft. of wetlands, including installation of twin 18" x 35' culverts, to provide access to uplands for the development of a six-lot residential subdivision.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates PLLC dated 5/21/2009, as received by DES on 6/10/2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2011-00280 NH DEPT OF TRANSPORTATION
SANBORTON Unnamed Stream**

Requested Action:

Replace a x 4.5 ft. x 2.5 ft. x 48 ft. squash culvert with a 4 ft. x 3 ft. x 48 ft. box culvert embedded to provide a natural stream bottom impacting 176 sq. ft. (122 sq. ft. temporary) of riverine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Replace a x 4.5 ft. x 2.5 ft. x 48 ft. squash culvert with a 4 ft. x 3 ft. x 48 ft. box culvert embedded to provide a natural stream bottom impacting 176 sq. ft. (122 sq. ft. temporary) of riverine wetlands. NHDOT project #M31320.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 3 dated 1/6/2011 as received by the Department on Feb. 2, 2011.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

With Findings:

1. This project is a Tier One Stream Crossing per rule Env-Wt 904.02 and is a minimum impact project per rule Env-Wt 904.07(c).

2011-00381 LECLAIR, MATTHEW
MASON Walker Brook

Requested Action:

Dredge and fill \pm 150 sq. ft. of Walker Brook bank to install a 13-ft. x 46-ft. bridge; dredge and fill \pm 300 sq. ft. of a Walker Brook overflow channel to install a 24-in. culvert and dredge and fill \pm 210 sq. ft. of unnamed intermittent stream to install a rock crossing for access to \pm 150 acres of proposed agricultural lands for expansion of an established agricultural operation.

APPROVE PERMIT:

Dredge and fill \pm 150 sq. ft. of Walker Brook bank to install a 13-ft. x 46-ft. bridge; dredge and fill \pm 300 sq. ft. of a Walker Brook overflow channel to install a 24-in. culvert and dredge and fill \pm 210 sq. ft. of unnamed intermittent stream to install a rock crossing for access to \pm 150 acres of proposed agricultural lands for expansion of an established agricultural operation.

With Conditions:

1. All work shall be done in accordance with plans by NRCS dated November 2008, as received by DES on February 16, 2011.
2. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, September 1998.
3. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
4. This permit shall be recorded with the county Registry of Deeds office by the permittee.
5. Work shall be done during annual low flow conditions and intermittent stream construction shall be completed in the dry.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Culverts shall be laid at original grade.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each

operator shall be trained in its use.

20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

21. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.

22. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

23. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

24. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u), Maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00546 ROBIN A GAVIN REVOC TRUST
BROOKLINE Unnamed Wetland

Requested Action:

Dredge and fill 2,904 sq. ft. within the embankments and flow channel of an intermittent stream to construct a 9 ft. wide x 26 ft. long concrete slab bridge on footings (to preserve natural stream bottom and allow for aquatic/wildlife passage) to provide access to a proposed 4-lot residential subdivision on an 80.9 acre parcel of land.

Conservation Commission/Staff Comments:

No report or comments were received from the Brookline Conservation Commission on this application.

APPROVE PERMIT:

Dredge and fill 2,904 sq. ft. within the embankments and flow channel of an intermittent stream to construct a 9 ft. wide x 26 ft. long concrete slab bridge on footings (to preserve natural stream bottom and allow for aquatic/wildlife passage) to provide access to a proposed 4-lot residential subdivision on an 80.9 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated January 28, 2011 (last revised 3/11/11), as received by the NH Department of Environmental Services (DES) on March 18, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Concrete bridge outlet shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f)&(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00751 STRAFFORD COUNTY
DOVER Unnamed Wetland

Requested Action:

Temporarily impact 9,800 sq. ft. of wetland in two locations to install a sewer conveyance line.

Conservation Commission/Staff Comments:

The Dover Conservation Commission voted to endorse to application.

APPROVE PERMIT:

Temporarily impact 9,800 sq. ft. of wetland in two locations to install a sewer conveyance line.

With Conditions:

1. All work shall be in accordance with plans by Wright-Pierce dated January 2011, as received by the NH Department of Environmental Services (DES) on April 12, 2011.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Restoration of wetland areas shall be supervised by a NH certified wetland scientist.
4. Areas shall be regraded to original contours and seeded with an appropriate wetland seed mix following completion of work.
5. Wetland reestoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
6. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
7. This permit is contingent on approval by the DES Waste Management Division.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(i), construction or maintenance of utility pipes or lines and is not in prime wetlands or within 100 ft. of highest observable tide line or does not meet the requirements of Env-Wt 303.02(k).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The wetland impacts are temporary and will be restored to original condition upon completion of work.
3. The NH Natural Natural Heritage Bureau (NHB) have identified the species of concern, the Osprey, and the endangered Upland Sandpiper within the vicinity of the project area. The applicant coordinated with the NH Fish & Game Department Nongame and Endangered Species Program (NH F&G) and NH F&G does not expect impacts to these species as a result of this project.

2011-00774 THE LAKEHOUSE COTTAGES LLC
LACONIA Lake Winnepesaukee

Requested Action:

Relocate an existing 4 ft x 40 ft piling pier 12 ft lakeward to account for changes to the shoreline caused by the accumulation of sand on property having approximately 350 ft of frontage along the Weirs Channel in Laconia.

APPROVE PERMIT:

Relocate an existing 4 ft x 40 ft piling pier 12 ft lakeward to account for changes to the shoreline caused by the accumulation of sand on property having approximately 350 ft of frontage along the Weirs Channel in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated March 14, 2011, as received by the NH Department of Environmental Services (DES) on April 14, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The relocation shall maintain the size and configuration of the pre-existing structure.
4. No work is authorized to the two 4 ft x 40 ft piers at the southerly end of the frontage.
5. This permit shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. This permit does not allow dredging for any purpose.
11. No portion of any of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is deemed to be a minimum impact project per Administrative Rule Env-Wt 303.04(o).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2011-01016 PRESCOTT REVOC TRUST, MAUREEN
LOUDON Unnamed Stream

COMPLETE NOTIFICATION:

Loudon Tax Map/Lot# 47/16, 48/9, 56/9

2011-01017 CHOCORUA FORESTLANDS LLC
MOULTONBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:

Moultonboro Tax Map 401, Lot# 5

2011-01018 CHOCORUA FORESTLANDS LLC
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:
Ossipee Tax Map 215, Lot# 5, 6, 7

2011-01019 CHASE, GAIL
BARRINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Barrington Tax Map 121, Lot# 6 & 7

2011-01030 TOLMAN, PRESCOTT & ELIZABETH
FRANCESTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Francestown Tax Map 3, Lot# 18

2011-01031 KENISON, JOHN/MARILYN
MILFORD Unnamed Stream

COMPLETE NOTIFICATION:
Milford Tax Map 50, Lot# 6 & 7

2011-01042 TURNER, JEREMY
UNITY Unnamed Stream

COMPLETE NOTIFICATION:
Unity Tax Map 3-H7, Lot# 320

2011-01043 DAVIS, JEFFREY
HAVERHILL Unnamed Stream

COMPLETE NOTIFICATION:
Haverhill Tax Map 203, Lot# 289

2011-01054 BELL, THOMAS/BRENDA
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:
Henniker Tax Map/Lot# 1/120 & 1/120C

2011-01055 POLAND, ORRIN
HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Hillsboro Tax Map 7, Lot# 186-6

EXPEDITED MINIMUM

2008-01853 SHEFFLER, TODD & JOHANNA
ALTON Lake Winnepesaukee

Requested Action:

No owners request a change of name on the permit and an amendment to include the installation of a seasonal boatlift and two seasonal personal watercraft lifts.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE AMENDMENT:

Approve change of name from 8 Loveren Lane LLC to Todd & Johanna Sheffler, 23 Ridge Rd, Concord MA, 07142.

Amend permit to read: Repair an existing 8 ft x 20 ft wharf supported by a full crib, connected to a 8 ft x 20 ft dock supported by a full crib, in a "L" shaped configuration and install a seasonal boatlift and 2 seasonal personal watercraft lifts on an average of 98 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group and Construction Management dated July 15, 2008, with annotation by Watermark Marine Construction as received by DES on May 5, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Repair shall maintain existing size, location and configuration.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. All seasonal structures shall be removed for the non-boating season.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-00399 SIEVE, CRAIG/MOLLIE
PORTSMOUTH Sagamore Creek

Requested Action:

Impact 7,450 square feet of developed upland tidal buffer zone for reconstruction and enlargement of an existing dwelling; installation of a new septic system, and site work to regrade, revegetate and install rain gardens.

APPROVE PERMIT:

Impact 7,450 square feet of developed upland tidal buffer zone for reconstruction and enlargement of an existing dwelling; installation of a new septic system, and site work to regrade, revegetate and install rain gardens.

With Conditions:

1. All work shall be in accordance with revised plans by Altus Engineering Inc. dated 4/6/2011, as received by the NH Department of Environmental Services (DES) on 4/6/2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is also contingent on compliance with the conditions set forth in DES Shoreland Permit 2011-19 for this property.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100' of the highest observable tide line that are not classified as major or minor, per Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Existing development of the lot is substandard and redevelopment will bring the property into closer compliance with current subsurface and shoreland standards.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Portsmouth Conservation Commission recommended approval of the application.
6. The project received a DES Shoreland permit, 2011-19, on 1/25/2011.

2011-00551 DEGREGORY, LISA/RICHARD
LACONIA Winnisquam Lake

Requested Action:

Install a 6 ft x 40 ft seasonal dock attached to a 6 ft x 4 ft concrete pad, install a seasonal boat lift in the northern slip with a 10 ft x 24 ft seasonal canopy, construct a 384 sq ft perched beach with less than 10 cubic yards of sand and 4 ft wide access stairs to the waterbody on an average of 115 ft of frontage, Winnisquam Lake, Laconia.

Conservation Commission/Staff Comments:

CCon Com submitted comments about erosion controls, existing retaining walls, and stumps.

APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal dock attached to a 6 ft x 4 ft concrete pad, install a seasonal boat lift in the northern slip with a 10 ft x 24 ft seasonal canopy, construct a 384 sq ft perched beach with less than 10 cubic yards of sand and 4 ft wide access stairs to the waterbody on an average of 115 ft of frontage, Winnisquam Lake, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates revisions dated April 18, 2011, as received by the NH Department of Environmental Services (DES) on April 19, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. The seasonal boat lift shall be removed from the lake for the non-boating season.
7. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
10. The beach shall be located entirely behind the existing retaining wall.
11. The steps installed for access to the water shall be located completely landward of the normal high water line.
12. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
13. This permit shall be used only once, and does not allow for annual beach replenishment.
14. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
15. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
16. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.

2011-00723 DUDLEY, DAVID
NEWMARKET Lamprey River

Requested Action:

Repair in-kind within the same footprint an existing 80 ft. x 8 ft. wharf on 255 ft. of frontage on the Lamprey River.

Conservation Commission/Staff Comments:

The Conservation Commission signed the expedited application.

APPROVE PERMIT:

Repair in-kind within the same footprint an existing 80 ft. x 8 ft. wharf on 255 ft. of frontage on the Lamprey River.

With Conditions:

1. All work shall be in accordance with plans by David Dudley dated March 8, 2011, as received by the NH Department of Environmental Services (DES) on April 8, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. The decking of the wharf shall have a minimum of 5 feet clearance from the surface of the tidal marsh and shall have a minimum of 3/4-inch spacing between the decking planks.
11. Work shall be done during low tide.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. Review of the previously approved Wetlands Permit #1999-330 finds that the wharf was approved May 17, 1999 for in-kind reconstruction, existed prior to 1990 and the agent testified that he remembers the wharf existed many years prior to 1990.
3. The wharf allows the applicant to access his frontage and docking structure without impacting the saltmarsh fringe to the Lamprey River or cutting into the steep bank.

2011-00829 BULKLEY, BENJAMIN
DURHAM Great Bay

Requested Action:

Impact a total of 9856 sq. ft., 513 sq. ft. permanent impact and 9,343 sq. ft. of temporary impact, of previously developed upland tidal buffer zone to reconstruct an existing residential dwelling within the same footprint, reconfigure a driveway and walkway, rebuild retaining walls, install a temporary work site trailer and removal of a pool, patio, deck, pool house, shed, propane tank, and concrete pad.

Conservation Commission/Staff Comments:

The Durham Conservation Commission signed the expedited application.

APPROVE PERMIT:

Impact a total of 9856 sq. ft., 513 sq. ft. permanent impact and 9,343 sq. ft. of temporary impact, of previously developed upland tidal buffer zone to reconstruct an existing residential dwelling within the same footprint, reconfigure a driveway and walkway, rebuild retaining walls, install a temporary work site trailer and removal of a pool, patio, deck, pool house, shed, propane tank, and

concrete pad.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering, PC dated March, 28, 2011, as received by the NH Department of Environmental Services (DES) on April 20, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. There shall be no impacts to shoreland jurisdiction until any permit as may be required under RSA 483-B has been obtained.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All temporary work areas shall be regraded to original contours following completion of work.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Orange or green construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 ft. of highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant is proposing to remove several structures within the previously developed upland tidal buffer zone including a pool, patio, deck, pool house, shed, propane tank, and concrete pad. The areas will be vegetated after removal of the structures.
4. NH Natural Heritage Inventory (NHI) has no recorded occurrences for sensitive species near this project area.
5. The Durham Conservation Commission signed the DES expedited application.

2011-00830 RYMES, CAROL/JAMES
OSSIPEE Unnamed Wetland

Requested Action:

Dredge 10,898 sq. ft. of wetland to construct a wildlife pond.

Conservation Commission/Staff Comments:

The Ossipee Conservation Commission signed the expedited application.

APPROVE PERMIT:

Dredge 10,898 sq. ft. of wetland to construct a wildlife pond.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated January 25, 2011, as received by the NH Department of Environmental Services (DES) on April 20, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. In accordance with Administrative Rule Env-Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, as this project proposes to construct the wildlife pond in both uplands and emergent/scrub-shrub wetlands.
3. In accordance with Administrative Rule Env-Wt 303.04(p)(2) and Administrative Rule Env-Wt 303.04(p)(3), the applicant has demonstrated that there are no streams into or out of the proposed pond site and the project is not located in or adjacent to prime wetlands.

2011-00894 MIRRA, NORINO
RYE Atlantic Ocean

Requested Action:

Enclose an 18 sq. ft. portion of an existing porch area on the existing dwelling foundation within in the building footprint to increase heated living space. All work is within the previously developed upland tidal buffer zone.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited application,

APPROVE PERMIT:

Enclose an 18 sq. ft. portion of an existing porch area on the existing dwelling foundation within in the building footprint to increase heated living space. All work is within the previously developed upland tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by James Verra and Associates, Inc. dated 3-25-2011, as received by the NH Department of Environmental Services (DES) on April 28, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously-developed upland areas

within 100 feet of the highest observable tide line.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00906 YACHT CLUB VISTA CONDO ASSOC
GILFORD Lake Winnepesaukee

Requested Action:

Repair and maintain piers and pilings within a major docking facility providing 52 slips, by definition, on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair and maintain piers and pilings within a major docking facility providing 52 slips, by definition, on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated April 21, 2011, as received by the NH Department of Environmental Services (DES) on April 29, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-01044 GOODHUE HAWKINS NAVY YARD
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair "in kind" 3 existing finger docks connected to a 12 slip docking structure consisting of a 6 ft x 65 ft piling supported dock with 6 existing 3 ft x 20 ft piling supported finger docks, within a large marina, on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:

Repair "in kind" 3 existing finger docks connected to a 12 slip docking structure consisting of a 6 ft x 65 ft piling supported dock with 6 existing 3 ft x 20 ft piling supported finger docks, within a large marina, on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Atlantic Underwater Salvage and Repair dated May 03, 2011, as received by the NH Department of Environmental Services (DES) on May 13, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit allows for repair of the dock identified on plans by Atlantic Underwater Salvage and Repair only, no other docks shall be repaired under this permit.
5. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

GOLD DREDGE

2011-01020 SHEEHAN, TERESA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-01021 LIBBY, BRIAN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-01124 LIESENDAHL, GARY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
CC Bath ConCom

2011-01129 SWETT, DIANNE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
CC Bath ConCom

2011-01130 LABONTE, STEPHEN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
CC Bath ConCom

LAKES-SEASONAL DOCK NOTIF

2011-01105 CORMIER, MARK/MELANIE
NEW DURHAM Merrymeeting Lake

COMPLETE NOTIFICATION:
New Durham Tax Map 121, Lot# 5 Merrymeeting Lake

2011-01119 HEBRON, TOWN OF
HEBRON Newfound Lake

COMPLETE NOTIFICATION:
Installation of a town beach docking structure

ROADWAY MAINTENANCE NOTIF

2011-01058 NH DEPT OF TRANSPORTATION
SUNAPEE Unnamed Stream Unnamed Wetlands

COMPLETE NOTIFICATION:

Manitenance dredge 320' of ditch line

**2011-01059 NH DEPT OF TRANSPORTATION
GILMANTON Unnamed Wetland**

COMPLETE NOTIFICATION:

Replace a 15"x 40" CMP in kind

**2011-01074 TANQUAY, PHILIP
LEBANON Mascoma Lake**

COMPLETE NOTIFICATION:

Lebanon Tax Map 85, Lot# 4 Mascoma Lake

**2011-01075 NOTTINGHAM DPW, TOWN OF
NOTTINGHAM Unnamed Stream**

COMPLETE NOTIFICATION:

Replace a failed 12" culvert in kind

**2011-01076 NH DEPT OF TRANSPORTATION
LOUDON Unnamed Stream Unnamed Wetlands**

COMPLETE NOTIFICATION:

Culvert replacements and a 4' addition to an outlet

**2011-01121 NH DEPT OF TRANSPORTATION
LEE Unnamed Wetland**

COMPLETE NOTIFICATION:

Replace an existing 24" CMP in kind

**2011-01125 NH DEPT OF TRANSPORTATION
CANDIA Unnamed Wetland**

COMPLETE NOTIFICATION:

Replace culvert and clean inlet & outlet

**2011-01126 AMHERST DPW, TOWN OF
AMHERST Unnamed Wetland**

COMPLETE NOTIFICATION:

Replace 4 12" with 15" culverts and 15" with 15" culverts in kind

**2011-01127 DORCHESTER TOWN OF
DORCHESTER Unnamed Wetland**

COMPLETE NOTIFICATION:

Replace 8 culverts

PERMIT BY NOTIFICATION

**2011-00987 TARBELL II, EDMUND
NEW CASTLE Unnamed Wetland Tidal**

Requested Action:

In-kind replacement of: an existing 10-foot by 71-foot fixed wharf the leads to a 3-foot by 35-foot gangway landing on a 12-foot by 60-foot float on the Piscataqua River.

Conservation Commission/Staff Comments:

The New Castle Conservation Commission signed the PBN.

PBN IS COMPLETE:

In-kind replacement of: an existing 10-foot by 71-foot fixed wharf the leads to a 3-foot by 35-foot gangway landing on a 12-foot by 60-foot float on the Piscataqua River.

**2011-01056 FALCONER REVOC LIVING TRUST, JAMES
SEABROOK Unnamed Wetland**

Requested Action:

Applicant proposes permanent impacts over the utility lines for the use of creating access to a single-family residential dwelling.

PBN DISQUALIFIED:

Project does not qualify for the PBN process as the utility line impact will remain permanent.

**2011-01070 JORDAN, ERIC/GAIL
ALTON Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-01102 GRAF, A JAY
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

CSPA PERMIT

2011-00883 ZEMKE, ROGER
SANDOWN Angle Pond

Requested Action:

Impact 23,728 sq ft in order to raze an existing dwelling and replace it with a new structure, septic system, and well.

APPROVE PERMIT:

Impact 23,728 sq ft in order to raze an existing dwelling and replace it with a new structure, septic system, and well.

With Conditions:

1. All work shall be in accordance with plans by Lavelle Associates dated April 6, 2011 and received by the NH Department of Environmental Services (DES) on April 17, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 17% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00898 **OHOLLERAN, EILEEN**
NEW DURHAM **Merrymeeting Lake**

Requested Action:

Impact 26,890 sq ft in order to stabilize slopes and exposed soils on a previously disturbed area.

APPROVE PERMIT:

Impact 26,890 sq ft in order to stabilize slopes and exposed soils on a previously disturbed area.

With Conditions:

1. All work shall be in accordance with plans by Pellettieri Associates Inc. dated July 20, 2010 and received by the NH Department of Environmental Services (DES) on April 29, 2011 unless DES is notified in writing, in advance, that deviations from the approved plan are necessary. Such notification shall describe the need for the deviations from the approved plan and shall specify the date by which an as-built plan will be submitted.
2. If an as-built plan is to be submitted, it shall not be submitted later than a date 30 days following the expiration date of this permit.
3. No deviation from the approved plan shall result in impacts to areas beyond the areas of proposed impact shown on the approved plan.
4. No deviation from the approved plan shall result in a reduction of the setback of structures to the reference line within the waterfront buffer.
5. No deviation from the approved plan shall result in a violation of the conditions of this permit.
6. No more than 27.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), 3,010 sq ft of the area between 50 feet and 150 feet from the reference line, as delineated on plans received by DES, must be maintained in an unaltered state following the completion of construction.
8. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00923 **FINN MW CASPERSEN 1972 REV TRUST**
CANAAN **Canaan Street Lake**

Requested Action:

Impact 17,100 sq ft in order to construct house, driveway, walkways and septic system.

APPROVE PERMIT:

Impact 17,100 sq ft in order to construct house, driveway, walkways and septic system.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated April 1, 2011 and received by the NH Department of Environmental Services (DES) on May 2, 2011.
2. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. No more than 19.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 4,872 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00975 BARTLETT, SANDRA/TERRY
CANAAN Mascoma River

Requested Action:

Impact approximately 895 sq ft (approximately 735 sq ft of temporary impacts) for the purpose of constructing an 160 sq ft addition to an existing dwelling.

APPROVE PERMIT:

Impact approximately 895 sq ft (approximately 735 sq ft of temporary impacts) for the purpose of constructing an 160 sq ft addition to an existing dwelling.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated April 2011 and received by the NH Department of Environmental Services (DES) on May 5, 2011.
2. No more than 4.34% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 31,437 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 30,391 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00977 WINONA MANOR ASSOCIATION
TUFTONBORO Lake Winnepesaukee

Requested Action:

Impact approximately 2,741 sq ft (temporary) for the purpose of constructing components associated with a proposed community effluent collection and disposal system.

APPROVE PERMIT:

Impact approximately 2,741 sq ft (temporary) for the purpose of constructing components associated with a proposed community effluent collection and disposal system.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Company, Inc. dated may 5, 2011 and received by the NH Department of Environmental Services (DES) on May 5, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 15.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 4,972 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,597 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. There will be no permanent impacts within the Comprehensive Shoreland Protection Area as a result of this proposal.

2011-00978 122 MILL POND WAY CONDOMINIUM
PORTSMOUTH North Mill Pond

Requested Action:

Impact 1,425 sq ft in order to remove a barn and construct a 4 stall garage.

APPROVE PERMIT:

Impact 1,425 sq ft in order to remove a barn and construct a 4 stall garage.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc dated January 1, 2011 and received by the NH Department of Environmental Services (DES) on May 6, 2011.
2. No more than 24% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 129 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00981 TOWN OF WOLFEBORO DPW WATER & SEWER UTLTS
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 15,220 sq ft for the purpose of upgrading a municipal sewer system.

APPROVE PERMIT:

Impact 15,220 sq ft for the purpose of upgrading a municipal sewer system.

With Conditions:

1. All work shall be in accordance with plans submitted by David W. Ford last revised April 29, 2011, and received by the Department of Environmental Services ("DES") on May 6, 2011.

2. There shall be no increases in impervious area within the protected shoreland associated with this project.

3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater. 4. No impacts shall occur to natural ground covers within the waterfront buffer.

5.. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. Silt fencing must be removed once the area is stabilized.

2011-00991 WEST, FRANCES
CHATHAM Lower Kimball Lake

Requested Action:

Impact 2,805 sq ft for the purpose of constructing a new garage and installing a new septic system and stormwater controls.

APPROVE PERMIT:

Impact 2,805 sq ft for the purpose of constructing a new garage and installing a new septic system and stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Thaddeus Thorne Surveys, Inc., dated March 1, 2011, and received by the Department of Environmental Services ("DES") on May 9, 2011.
2. No more than 20.16% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
- 6.. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
- 7 In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 8,620 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.
16. Upon completion of the proposed project, the exiting septic system shall pose no threat to adjacent surface waters.

2011-01009 MELNICK, SHEP
DALTON Forest Lake

Requested Action:

Impact approximately 7,694.2 sq ft (1887 sq ft of permanent impacts and 5807.2 sq ft of temporary impacts) for the purpose of removing an outhouse, camp, driveway, and parking area located within the 50 ft waterfront buffer and constructing a conforming primary structure with attached deck, gravel parking area, and associated subsurface system.

APPROVE PERMIT:

Impact approximately 7,694.2 sq ft (1887 sq ft of permanent impacts and 5807.2 sq ft of temporary impacts) for the purpose of removing an outhouse, camp, driveway, and parking area located within the 50 ft waterfront buffer and constructing a conforming primary structure with attached deck, gravel parking area, and associated subsurface system.

With Conditions:

1. All work shall be in accordance with plans by Presby Construction Inc. dated April 28, 2011 and received by the NH Department of Environmental Services (DES) on May 11, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 9.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 3,263 sq ft of the Natural Woodland Buffer beyond the primary building

setback in an unaltered state. At least 2,434 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-01011 KARA REALTY ASSOCIATES LLC
LOUDON Soucook River

Requested Action:

Impact 33,957 sq ft for the construction of a 4608 sq ft commercial building with associated parking, septic, and stormwater management system.

APPROVE PERMIT:

Impact 33,957 sq ft for the construction of a 4608 sq ft commercial building with associated parking, septic, and stormwater management system.

With Conditions:

1. All work shall be in accordance with plans by T.F. Bernier, Inc. dated May 2011 and received by the NH Department of Environmental Services (DES) on May 11, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No work or vegetation removal shall occur within the 50 ft waterfront buffer setback of the Soucook River.
4. No more than 22% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 11,065 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on waterfront buffer and area to remain in an unaltered state on the property.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. There will be no impacts within 75 ft of the reference line of the Soucook River and therefore no impact to sensitive, threatened, or endangered species as a result of this project.

2011-01026 MCLOUGHLIN, THOMAS
STARK Pike Pond

Requested Action:

Impact 380 sq ft for the purpose of constructing a 10 ft x 38 ft porch off a nonconforming structure, extending the non-conforming structure 10 ft towards the reference line of Pike Pond.

APPROVE PERMIT:

Impact 380 sq ft for the purpose of constructing a 10 ft x 38 ft porch off a nonconforming structure, extending the non-conforming structure 10 ft towards the reference line of Pike Pond.

With Conditions:

1. 1. All work shall be in accordance with plans by Thoams J. McLoughlin dated May 9, 2011 and received by the NH Department of Environmental Services (DES) on May 12, 2011.
2. No more than 13.48% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

CSPA PERMIT W/WAIVER

2011-00706 SHEA, DEBRA
BARNSTEAD Lower Suncook Lake

Requested Action:

Impact 29,467 sq ft to replace a non-conforming primary structure, reconfigure accessory structures including parking, driveways, and a right-of-way, and stabilize steep slopes.

APPROVE PERMIT:

Impact 29,467 sq ft to replace a non-conforming primary structure, reconfigure accessory structures including parking, driveways, and a right-of-way, and stabilize steep slopes.

WAIVER APPROVED: RSA 483-B:9, II, (b), is waived to allow the modification of a primary structure that encroaches upon the primary building line.

With Conditions:

1. All work shall be in accordance with plans by Matthew Moore Civil Engineering, PLLC. revised February 14, 2011 and received by the NH Department of Environmental Services (DES) on April 7, 2011.
2. This approval includes a waiver of RSA 483-B:9, II, (b) and, therefore, shall not be effective until it has been recorded at the Belknap County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 19.96% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 3,157 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lower Suncook Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. Previous construction activities on the site in combination with the natural slopes and soil type present have resulted in poor slope integrity, slope failures, and erosion.
4. The project as proposed would result in an increase in the setback of the primary structure, a reduction in the overall percentage of impervious surface on the site, and greatly improved slope and soil stability.
5. The project as proposed will improve stormwater management, reduce sedimentation to the surface water, and more nearly conform to the setback for primary structures, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.
6. The Applicant has met the criteria of part Env-Wq 1413, Waivers from Rules, to qualify for waivers to Rules Env-Wq 1405.03, (b), 1405.04, and 1405.05.

2011-00791 THE LISBON INN COMPANY
LISBON Ammonoosuc River

Requested Action:

Impact 15,541 sq ft for the purpose of regrading and installing stormwater controls on a commercial lot.

APPROVE PERMIT:

Impact 15,541 sq ft for the purpose of regrading and installing stormwater controls on a commercial lot.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the development of a commercial lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Conditions:

1. All work shall be in accordance with plans by Engineering Ventures, PC, dated April 8, 2011 and received by the Department of Environmental Services ("DES") on April 15, 2011.
2. This approval includes a waiver of RSA 483-B:9, V(g)(1) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.

3. No more than 59.5% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Wetlands Bureau for proposed impacts jurisdictional under RSA 482-A.
5. This permit is contingent upon receiving all necessary approvals that may be required from the NH DES Alteration of Terrain Bureau under RSA 485-A:17.
6. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
7. The plantings in the waterfront buffer shall be completed within one year of the initiation of construction and shall be monitored, and if necessary, replaced, to ensure 100% survival rate for a period two years following construction.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to the Ammonoosuc River and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install stormwater controls consisting of two catch basins that will be capable of directing stormwater to a pre-manufactured underground stormwater quality unit. All outflow from this unit will be directed to a rip-rap reinforced outfall/plunge pool area.
4. The applicant has proposed to decrease the impervious area within the protected shoreland by 386 sq ft.
5. The applicant has proposed to stabilize the bank with additional, native vegetation.
6. The applicant has proposed to install sound stormwater controls, decrease impervious area and stabilize the bank with native vegetation, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2011-00806 177 POOR ROAD REALTY TRUST
NEW LONDON Sunapee Lake

Requested Action:

Impact 2,274 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system and stormwater controls.

APPROVE PERMIT:

Impact 2,274 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system and stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with revised plans by CLD Consulting Engineers and received by the Department of Environmental Services ("DES") on May 13, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 28.8% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 9,900 sq ft of unaltered area between 50 ft and 150 ft of the reference line as delineated on plans received by DES must remain in an unaltered state.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Sunapee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install stormwater controls consisting of a stone filled drywell that will be capable of intercepting stormwater via a rain gutter.
4. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
5. The applicant has proposed to install stormwater controls and install a new septic system, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2011-00825 HAIGH, KENNETH/SHELIA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 6,095 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system and stormwater controls.

APPROVE PERMIT:

Impact 6,095 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system and stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates, LLC, dated April 11, 2011 and received by the Department of Environmental Services ("DES") on April 20, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 25.0% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts shall occur to natural ground covers within the waterfront buffer except that necessary for incorporating the proposed plantings.
7. The plantings in the waterfront buffer shall be completed within one year of the initiation of construction and shall be monitored, and if necessary, replaced, to ensure 100% survival rate for a period two years following construction.
8. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
9. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,364 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans titled, "Proposed Conditions Plan" and received by DES must remain in an unaltered state.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
11. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
12. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
13. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
14. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
15. Any fill used shall be clean sand, gravel, rock, or other suitable material.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Silt fencing must be removed once the area is stabilized.
19. Upon completion of the proposed project, the exiting septic system shall pose no threat to adjacent surface waters.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee, and therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

3. The applicant has proposed to install stormwater controls consisting of infiltration trenches below the drip-line of the existing and proposed structures and an infiltration trench that will be capable of infiltrating some stormwater from the proposed driveway as well.
4. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
5. The applicant has proposed to install stormwater controls and install a new septic system, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2011-00935 TEMPLE, JOHN/SUSAN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 5,980 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system and stormwater controls.

APPROVE PERMIT:

Impact 5,980 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system and stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates, LLC, dated April 28, 2011 and received by the Department of Environmental Services ("DES") on May 3, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 29.8% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and completing the installation of the proposed septic system.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), the proposed 2,140 sq ft of area proposed to revert to an unaltered state between 50 ft and 150 ft of the reference line, as delineated on plans titled, "Proposed Conditions Plan" and received by DES must remain in an unaltered state.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Silt fencing must be removed once the area is stabilized.

17. Upon completion of the proposed project, the exiting septic system shall pose no threat to adjacent surface waters.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee, and therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

3. The Applicant has proposed to decrease the impervious area within the waterfront buffer by 315 sq ft.

4. The Applicant has proposed to allow 2,140 sq ft of area within the natural woodland buffer to revert to an unaltered state.

5. The Applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.

6. The Applicant has proposed to enhance the waterfront and natural woodland buffers and install a new septic system, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

UTILITY NOTIFICATION

2011-01057

UNTIL

KENSINGTON Unnamed Wetland

COMPLETE NOTIFICATION:

Equipment repair & maintenace